In other words, instead of taking a conciliatory type approach, he took a hard ass approach. To be honest with you, I think it pissed Greg off. Excuse the language, but this is -- this is, you know. And it lasted maybe four or five minutes. Greg said, "Well, I'm going to my office. I'm going to think about it. I'll get back down with you. Let me give you," and he gave me Sylvia's memo at that point, the first time, before he left.

Q Right.

A So I said, "Well." On the way out Bob tried to tell him, you know, "Greg, why don't you stop, let's talk about it?" Greg says, "No, I'm going to go up and get a cup of coffee and cool off." So Greg leaves.

Sometime later, 9:15, 9:20, Greg comes back, everybody's gone. Greg comes back and says, "I've got this letter for you." He says, "I want you to call the Sheriff's Office, I want you to call the JQC, I want a criminal investigation, I want this, I want that." And I said, "Fine," I said, "but let me ---" I said, "Sit down for a minute." I said, "Cool off."

And I had told him that Friday. I had talked to Greg on Friday when I came into the office.
I called him. I said, "Look, I have set a meeting for Monday. Just cool off. We'll talk about it when you get back." And I might have talked to Greg over the weekend, Jerry, I'm not sure, before the meeting.

Q     All right.

A     Anyway, he gives me the letter, I look at it. I said, "Look, Greg," I said, "if I learned anything from the prior administration in the State Attorney's Office is that when this happens, when you write a letter like this," and I hadn't read the whole letter, I said, "normally the advice I'm going to give you, because I don't want you to come six months from now and say, 'Chief, why didn't you talk me out of it?' is you get the letter, you put it in the drawer, you close it and you wait three days. You come back in three days, you take it out. You may want to modify it, you may not. But if you feel as strong as you do, then you send the letter. That's my recommendation. Why don't you sit and think about it."

"No, I've made up my mind," this, that, and the other. I said, "Fine, we'll do it." Ten minutes after he leaves I call Colonel Gee or Colonel Diecidue, I'm not sure, I called one or both, advised him about it.

Colonel Gee tells me, "Dennis, I already
know. I've had Graham Brink from the St. Pete Times calling me about a letter." Now, this is no more than ten minutes after Judge Holder has left my office.

I tell David, my counsel, "I want you to call Tom McDonald," who is the General Counsel of the JQC, "and tell him. David talks to Tom McDonald and says, "He already knows about it. He was told about this over the weekend."

So at that point in time everything he wants me to do he's already done. I'm getting calls from the media about this letter, and the letter is still hot from the printer, you know. So he's gone out and called the media about the letter.

So, and then what even bothered me more is when the letter is dated the 29th and he's giving it to me the 31st. And that's when I corrected it, you know. And he had certain things in the letter that I took issue with. But I said, "Fine," I said, "I'll do what you want me to do." So I turned it over to Colonel Gee and to the JQC.

Q Okay.

A And that's the last conversation I had with him that morning in reference to -- in reference to the letter.

Jerry, I don't know if you've got this
e-mail in reference to the Barbas case that was sent 
out to -- by my General Counsel dated June 28th. This 
was -- it says, "The above-referenced case is a 
paternity action filed by the brother of one of our 
Circuit Judges. All of the judges in the Family Law 
Division have recused themselves. Judge Bonanno asked 
me to direct the clerk to reassign this case randomly 
to one of the Circuit Civil divisions. Before 
attempting to obtain an out-of-circuit judge, we wanted 
to determine if any of the judges in the Circuit Civil 
division could hear this case." I don't know if you 
all ever received that.

Q I haven't seen it. That's from who and 
dated --
A That's from Dave Roland, my General 
Counsel.

Q Okay. All right.
A Because remember, I think when we had 
talked we had talked about how the recusal thing works, 
how -- the assignment of the cases.

Q Right. Right.
A I had talked to my General Counsel about 
if he recalls how all this happened about how the case 
got to Bonanno.

Q Right.
A Because I wasn't even sure about it.
Q Do you know the date of the last action by Judge Holder on that particular case?
A Again, I had my -- I had David Roland, Jerry, if -- I will leave it, do a chronological order of everything that happened in the file.
Q Great.
A Okay. Greg Holder disqualifies himself on June 13th.
Q Okay.
A Okay. Then different judges, and Judge Maye, Judge Ron Ficarrotta, Judge Baumann, Judge Crenshaw after that recuse themselves.
Q Okay.
A This is the e-mail of the 28th. Come down to July the 9th. Judge Holder signs an Order of Social Investigation and Study.
Q Okay. This is after he's recused himself?
A And he nunc pro tuncs it back to the 12th.
Q Okay.
A Nunc pro tunc means it's effective back to June the 12th even though it's signed July the 9th. He does that on July the 9th. Also on July the 9th he
signs another Order on Motion for Temporary Visitation and so forth.

Q  Is that a nunc pro tunc?

A  That's also a nunc pro tunc. And then on July, July 20th is when that Motion for Rehearing is filed.

Q  Okay. Well, --

A  So the last action that he's taken, Jerry, is July, according to this, July -- July the 9th that he pro tuncs everything back to June the 12th, the day before he disqualified himself.

Q  After that July the 9th activity by Judge Holder is there anything else presented to him for his consideration? And who is the assigned judge at that point in time?

A  Okay. On June the 19th Judge Crenshaw recuses herself. I've got a letter here that was not in the Clerk -- in the court file, Jerry. This is a letter from the Clerk's office to counsel in the case that this action has been assigned to the Honorable Robert H. Bonanno, Division E Civil, effective date June 19th. That's the date that Crenshaw recused herself. All right. This doesn't -- that's not in the file.

Q  Got you.
They normally send letters to me from the Clerk's office, a copy of a letter where the case has been reassigned for whatever reason.

Q Well, let me ask you quickly, it appears it was Judge Bonanno's case then after that last June entry, maybe even as of the time of the last June entry by Judge Holder, --

A Uh-huh.

Q -- indicated anything else that's pending before Judge Holder, who has conflicted off this thing -- anything else pending before him?

A I don't think so. According to this there was nothing else. July 9th Judge Holder signed nunc pro tunc again June 12th. The only thing I can see, according to my notes here, is that the last thing that Judge Holder did, and this was July the 9th, was the Nunc Pro Tunc Order.

Q If you recuse yourself in a case, what further contact should you have regarding that case?

A You shouldn't have any further contact.

Q Well, we know that there were at least three Orders entered nunc pro tunc.

A Uh-huh.

Q But after that last one was entered can you think of any conceivable reason that a judge that
has recused himself, any of those judges, should have anything to do with that case?

A    No, it should be taken care of by the judge, whoever gets the case assigned to him.

Q    Why, if you've recused yourself, ethically what right do I have to come to you a month later and say, "Hey, I've got this case, let's talk about this thing a little bit"? Is there anything right or wrong about doing that?

A    No, it happens all the time, especially with something like this when a Motion for Rehearing was filed. Being the fact that he had signed some Orders after he had recused him, but basically, you know, saying, you know, would you hear the case, re-hear it? Because it does two things —

Q    Well, could he? Could he?

A    Well, I think he could probably set aside his -- check with counsel to see if they have any objection for him to rule on the Motion for Rehearing. And it basically would be beneficial to the litigants, Jerry, for two reasons: (1) I don't know if there was a court reporter, okay. The only way that Judge Bonanno in this case who had the case could have ruled on that Motion for Rehearing was one of two ways: Hear it all over again, bring in all the
witnesses, all right, or order a copy of the transcript, which if it was a lengthy hearing would have been expensive to get a copy of the transcript.

So logically, to be honest, it would have been, "Can you rule on this Motion for Rehearing? If not, this is what I've got to do."

Q Did he ever rule and that Motion for Rehearing?

A No.

Q What's the status of it? What happened? Was it reheard or was it denied?

A July, let's see. Bonanno recused himself on the 15th of August. On August 30th we got a letter -- we got an Order from the Chief Justice to assign the case to Judge Robert Doyle in Bartow.

Q I'm familiar with him.

A So Judge Doyle has got the case. And then after that, which it happened already but we already had knew because of this e-mail here that David sent, that we knew that other judges that David had talked to that had called him in reference to this, like Judge Arnold, Judge Menendez would have recused theirself, they would not have heard the case. But as of August 15th Bonanno is off it.

I don't know if Bonanno had any hearings
on it or not, but as I understand, the Motion for
Rehearing is still pending. But there would have been
reason to speculate. There would have been reason for
Holder, and basically to financial reasons for
litigants, for Holder either to rule on the Motion for
Rehearing since he already had heard the actual
testimony, all right; or if not, if he would have said,
"No, I'm not going to do it," then order the
transcript.

Q    Judge, I'm just about through with you.

You've been very gracious to us. Let me ask you this:
If I'm one of your judges and I want to order me a new
desk, a new chair, a new sofa, do I have to buy that,
or how is that accomplished?

A    That comes through the county.

Q    Is it done for --

A    We pay for it.

Q    Is it done almost automatically if I
request it?

A    Uh-huh, yes.

Q    Any limits on how much I can spend for
it?

A    What's ever in the state contract.

Q    Any need or justification that I have to
give you to make those purchases?
A It's got to be needed. You know, just because you want a new desk I'm not going to give it to you.

Q Well, then how do you -- how do you confirm that I need it, if I tell you I need it?

A Well, I have my staff go and take a look at it. They will go and take a look at it.

Q So I need to bang it up some before they get there?

A Well, yeah. And also what we did, Jerry, when I became Chief Judge the policy, we implemented it, was all judges, all judges get the same style desk, same, you know, so that if you move we don't have to move furniture, we just move you and your own personal effects, and the same furniture, credenza stays there, because when the furniture gets damaged is in moving.

So unless a judge brings their own personal stuff, which I've decided we're not paying for anymore because I don't want to be responsible for somebody's personal stuff, every Judge basically has the same style of furniture; the desk, credenza, and so forth.

Now, they may take their chairs with them or their desk chairs, their couch and so forth, but everything else stays.
Q    Okay. Judge, I need to see if the Grand
1 Jurors have any questions of you, and then we're going
2 to wrap it up.
3 A    Okay.
4 MR. HILL: Yes, ma'am.
5
6 EXAMINATION
7
8 BY GRAND JUROR:
9 Q    Two quick ones. Why would Judge Bonanno
10 go to see Judge Holder about this case after hours?
11 Why wouldn't he go during regular hours? Why would he
12 go after five o'clock or as opposed to one o'clock?
13 A    I don't know. But I don't consider 5:00,
14 5:15, 5:30 after hours.
15 Q    Okay. One other quick question.
16 A    If you stay around, there's a lot of
17 judges stay working until 7:00, 7:30 at night, you
18 know.
19 Q    One other quick question. When you
20 were -- when you asked Judge Bonanno yourself, you said
21 yourself that you said, "Why did you stay there when he
22 wasn't there? That was a stupid thing to do," what was
23 his response to that? "I know, you're right," or --
24 A    He says, "No," he said, "I was just
25 looking at the picture. I didn't realize it, and then
26 Sylvia Gay came in."
GRAND JUROR: All right.

THE WITNESS: Yes, ma'am?

BY GRAND JUROR:

Q Does every judge have a key that will fit every other judge's office.

A Except for my office and Judge Ficarrotta's office.

Q Okay. Do you mind me asking why?

A Back three years ago they had what they called the Constitutional Court here in Tampa that made threats on my life and threats on Judge Ficarrotta's life.

I didn't take it serious until I had the FDLE, the FBI, and the Marshall's office come to me and tell me that they had information through informants that these people were very, very serious. So when they told me that, I said, "All right, I guess I'll change the locks to my door." I took it serious at that point in time.

Other than that, everybody's got keys. And other than that, to be honest with you, I think we've covered this, judges walk in other judges' chambers. It is not, it is not uncommon in this circuit to have people walk in other people's office before, during, after hours. It's not uncommon,
especially 5:30, six o'clock.

Now, eleven, twelve o'clock at night then, yeah, it would raise one big suspicion. But at 5:15, 5:30 in the afternoon I -- you know, and let me say this to you. Let me apologize to you, all right.

I am embarrassed by what's happened, all right. Although I am not my brother's keepers, all right, I was hoping that two well-educated men could have sat in my office and worked this out between them.

It's caused an embarrassment to the judiciary here in Hillsborough County, and it's caused an embarrassment to you as citizens of Hillsborough County. And I offer my apology to you that this has happened. I don't think -- I don't think it should have gone this far.

And that's my honest feeling. I don't know what the investigation has brought up, but I think we have handled problems like this many times in the past, and that's the way the problems, you know, should have been handled.

Q Yes, sir.

MR. HILL: Yes, sir.

BY GRAND JUROR:

Q Judge, you indicated before that if you couldn't handle an ethical/moral type thing one-on-one,
if that attempt one-on-one didn't work, then you would refer it to JQC?

    A   (Nodded affirmatively.)

    Q   How many times in the past year have you referred action to JQC for that sort of thing?

    A   We've met with the JQC probably three or four times on other matters. Short of the JQC coming in and filing a Notice of Investigation or a Notice of Inquiry, where there's been a complaint, where I have forwarded to the JQC and the JQC says, "Fine, let's sit down and talk to the judge," all right, it's happened. Because I think that's my job.

    And they will tell us we are the first line between handling problems at the court level and the JQC. We try to handle things at a local level. If it can't be done, then the next step is to go up.

    GRAND JUROR: Thank you.

    MR. HILL: I know we're really winding down, aren't we? But there's one -- a question here and a question here.

    GRAND JUROR: My question is short.

    MR. HILL: Okay. Bear with us one second.

    GRAND JUROR: Okay.

    MR. HILL: Go ahead, sir.